IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.698 OF 2006
IN
CRIMINAL APPEAL NO.629 OF 2001

Vijay P. Warbhuvan ... Applicant

Vs.

State of Maharashtra & Anr. ... Respondents

ALONG WITH

CRIMINAL APPLICATION NO.699 OF 2006
IN
CRIMINAL APPEAL NO.630 OF 2001

Amitesh S. Rai ... Applicant

Vs.

State of Maharashtra & Anr. ... Respondents

Mr. P. Janardhanan with Mr. R.B. Mokashi for the applicants.

None for the respondents.

CORAM : SMT. RANJANA DESAI &
A.P. DESHPANDE, JJ.

DATED : 7TH AUGUST, 2006.

P.C.:-

1. On 20/4/2006, Mr. Mokashi, the learned counsel for the applicants (original accused 1 and 2) was not present. Since the applicants are in jail, we appointed Mr. Apte as amicus curie to appear for the applicants. The

office was directed to supply paper-book to Mr. Apte. In the application, it is prayed that the order dated 20/4/2006 be modified. It is also prayed that the appointment of Mr. Apte be set aside and Mr. Mokashi be permitted to appear for the applicants. Mr. Janardhanan, the learned counsel for the applicants states that due to certain unavoidable circumstances Mr. Mokashi could not remain present in the court and Mr. Mokashi tenders apology for the inconvenience caused to the court. He has further stated that the applicants, who are in jail also desire that Mr. Mokashi should appear for them. He has stated that Mr. Apte has no objection if his appearance is set aside. In the circumstances of the case, since the applicants desire that Mr. Mokashi should appear for them, we set aside the order dated 20/4/2006. We hope and trust that Mr. Apte's charges will be paid to him by Mr. Mokashi. We also hope and trust that in future Mr. Mokashi will attend to the matter and ensure its speedy disposal. Hence, the order dated 20/4/2006 is set aside. Mr. Mokashi is permitted to appear for the applicants. Mr. Apte to hand over the paper-book to Mokashi. Applications are disposed of.

[SMT. RANJANA DESAI, J.]

[A.P. DESHPANDE, J.]